

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA  
OMAHA DIVISION

Christopher A. Behrens,	)	Civil Action No. 8:23-cv-00050
	)	
Plaintiff,	)	
vs.	)	
	)	<b>PROTECTIVE ORDER</b>
Union Pacific Railroad Company, a	)	
Delaware corporation,	)	
	)	
Defendant.	)	
	)	

COME NOW Plaintiff, Christopher A. Behrens, and Defendant, Union Pacific Railroad Company, (“Parties”) and respectfully request the Court enter this Protective Order. The Parties provide the following information in support of the request for the order:

1. Plaintiff seeks locomotive video of the incident from UP 1041 and UP 791 on August 8, 2021, hereinafter “video evidence.”
2. Plaintiff agrees the video evidence will not be used for any purpose except in connection with the preparation and trial of this litigation.
3. The Parties agree that Plaintiff and his agents and representatives shall be prohibited from reproducing and/or disseminating the video evidence to third parties outside of this case, including, but not limited to dissemination onto the internet or other electronic media.

THEREFORE, IT IS ORDERED that the Plaintiff and his agents and representatives shall adhere to and comply with the provisions of this Protective Order. Specifically, they must comply with the following:

1. Plaintiff and his agents and representatives shall not disclose the video evidence to anyone who is not involved in this case.
2. Plaintiff and his agents and representatives shall not allow the video evidence to be disseminated onto the internet or other electronic media.
3. Plaintiff and his agents and representatives will ensure that any third parties involved in this case who receive the video evidence (a) are advised of this Protective Order, (b) are provided a copy of this Protective Order, and (c) agree they will not further disseminate the

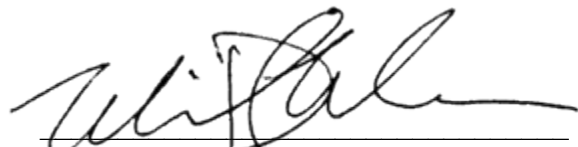
evidence to anyone not involved in this case or onto the internet or other electronic media.

4. Acceptance of the video evidence by Plaintiff, his agents and representatives, and third parties involved in this case constitutes their agreement and consent to be bound by this Protective Order.

5. Counsel for a party or non-party witness shall have the right to exclude from depositions or any evidentiary hearing or trial any person who is not authorized to view the video, but such right of exclusion shall apply only during the period of examination or testimony during which the video is being used or discussed.

6. The termination of these proceedings does not relieve any person from the obligations of this Protective Order.

ORDERED this 2nd day of May, 2023.

  
Michael D. Nelson  
United States Magistrate Judge

APPROVED:

/s Jeffrey Chod, \_\_\_\_\_  
Jeffrey Chod, Counsel for Plaintiff

s/Torry N. Garland \_\_\_\_\_  
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